

## **II. REMARKS**

A Final Office Action was issued in this application on December 7, 2010 (hereinafter "Final Office Action"); this submission is believed to be fully responsive to the Final Office Action. Claims 7-16 are pending in this application; all pending claims currently stand rejected. Claims 7-16 have been cancelled from further consideration, without prejudice or disclaimer. New claims 17-34 have been added. The addition of claims 17-34 does not add new matter into the subject application. After entering this response, claims 17-34 remain pending. A Request for Continued Examination and the appropriate fee are submitted concurrently herewith pursuant to 37 C.F.R. §§ 1.114, 1.17(e). Reconsideration and allowance of this application in view of the above amendments and the following remarks is earnestly solicited..

### **A. CLAIM AMENDMENTS**

Applicant has added new claims 17-34, as presented in the Listing of the Claims section, *supra* § I, at 2-6. It is respectfully submitted that the proposed addition of claims 17-34 does not add new matter to the subject application, as the originally presented drawings and specification provide full support for any additions or modifications made herein. For instance, support for the addition of claims 17-34 can be found, for example, in FIGS. 3(a), 3(b) and 4 of the drawings, paragraphs [0024], [0027]-[0033] and [0056]-[0059] of the specification, and claims 1-3, as originally presented.

### **B. CLAIM REJECTIONS – 35 U.S.C. 103**

Claims 7-9 and 11-16 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Appl. Publ. No. 2001/0031658 A1, to Ozaki et al. (hereinafter "Ozaki") in view of U.S. Patent Appl. Publ. No. 2003/0016313 A1, to Jeong (hereinafter "Jeong"). In addition, claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozaki and Jeong, as applied to claim 8, and further in view of U.S. Patent No. 6,734,927, to Sato (hereinafter "Sato"). Claims 7-16 have been cancelled from further consideration, thereby rendering all pending claim rejections moot. Regardless, Applicant respectfully submits that Ozaki, Jeong and Sato, whether considered separately or in combination, do not render new claims 17-34 *prima facie* obvious.

To properly substantiate a *prima facie* case of obviousness under § 103(a) requires the applied references disclose, teach, or otherwise suggest each and every element and limitation of the rejected claims. See *In re Kotzab*, 217 F.3d 1365, 1369-71 (Fed. Cir. 2000); *In re Royka*, 490 F.2d 981, 985 (CCPA 1974). Indeed, as the Board of Patent Appeal and Interferences recently confirmed, the failure of an asserted combination to teach or suggest each and every limitation of a claim is fatal to an obviousness rejection under § 103(a). See *Ex parte Wada and Murphy*, Appeal No. 2007-3733, Slip Op. at 7 (BPAI January 14, 2008), citing *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003). The necessary presence of all claim features is axiomatic, since the Supreme Court has long held that obviousness is a question of law based on underlying factual inquiries, including ascertaining the differences between the claimed invention and the prior art. See *Graham v. John Deere Co.*, 383 U.S. 1 (1966). For that reason, the examiner may not opportunistically disregard any of the characterizing claim limitations; rather, “[every] word[] in a claim must be considered in judging the patentability of a claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970). In effect, “[w]hen determining whether a claim is obvious, an examiner must make ‘a searching comparison of the claimed invention - including all its limitations - with the teaching of the prior art.’” *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995). Applicant respectfully submits that the cited references, singly and collectively, do not disclose, teach, or otherwise suggest each and every limitation of claims 17-34.

Independent claim 17 is directed to a gaming machine, which includes a variable display for variably displaying symbols associated with the outcomes of a wagering game, and a front display device positioned in front of the variable display device. The front display device includes a liquid crystal panel through which at least a portion of the variable display device can be seen. A light guiding plate is positioned between the liquid crystal panel and the variable display device. The light guiding plate transmits at least a portion of the light emitted from a light source to the liquid crystal panel. A rear holder is positioned between the light guiding plate and the variable display device. The rear holder retains the liquid crystal panel and the light guiding plate in the front display device. In addition, the rear holder includes an opening that extends therethrough. An inner periphery of the opening includes a rearward-facing stepped region. The front display device also includes an antistatic sheet that is attached to the rear holder and covers the opening.

Independent claim 29 is directed to a gaming terminal for playing a wagering game. The gaming terminal of claim 29 includes an input device for receiving wagers to play the wagering game, and a variable display device for variably displaying a plurality of reels, each of which includes symbols associated with outcomes of the wagering game. A front display device is positioned adjacent the variable display device. The front display device includes a liquid crystal panel for displaying gaming-related effects. At least a portion of the reels displayed by the variable display device is visible through the liquid crystal panel. A light guiding plate is positioned between the liquid crystal panel and the variable display device. The light guiding plate is configured to transmit at least a portion of the light emitted from a light source to the liquid crystal panel. A diffusion sheet is positioned between the light guiding plate and the liquid crystal panel. The diffusion sheet equalizes the light emitted from the light source that is transmitted to the liquid crystal panel via the light guiding plate. A rear holder is positioned between the light guiding plate and the variable display device. The rear holder reflects at least a portion of the light emitted from the light source onto the liquid crystal panel. In addition, the rear holder helps retain the liquid crystal panel and the light guiding plate in the front display device. Moreover, the rear holder has opposing front and rear faces, and an opening that extends from the front face to the rear face. An inner periphery of the opening includes a rearward-facing stepped region. An at least semi-transparent antistatic sheet is disposed within the opening and attached to a portion of the rearward-facing stepped region.

Independent claim 30 is directed to a gaming machine, which includes a variable display device with a plurality of symbol-bearing reels for displaying symbols associated with a game outcome of a wagering game. A front display device is disposed in front of the variable display device. The front display device includes, *inter alia*, a liquid crystal panel, a diffusion layer, a light guiding layer, a reflective rear holder, and an antistatic layer. The liquid crystal panel, diffusion layer, light guiding layer, reflective rear holder and antistatic layer are arranged in a facially opposed, sequential manner such that the diffusion layer is between the liquid crystal panel and the light guiding layer, the light guiding layer is between the diffusion layer and the reflective rear holder, and the reflective rear holder is between the light guiding layer and the antistatic layer. The diffusion layer, light guiding layer, and reflective rear holder each include a respective plurality of discrete viewing windows aligned with respective ones of the symbol-bearing reels to permit viewing thereof. The gaming machine of claim 30 also includes a light

source that emits light into the light guiding layer. The diffusion layer diffuses at least a portion of the light guided by the light guiding layer to equalize the light that illuminates the liquid crystal panel. The reflective rear holder reflects at least a portion of the light guided by the light guiding layer toward the liquid crystal panel.

The Ozaki, Jeong and Sato, taken separately or in aggregate, fail to disclose all of the foregoing claim elements and limitations. FIG. 1 of Ozaki presents a slot machine 10 that has a back side display unit composed of reels 30a-c for displaying back patterns, some of which can be seen in FIG. 3 of Ozaki. *See, e.g.*, Ozaki, ¶ [0046]. Ozaki's slot machine 10 also includes a front-side display unit, disclosed in various configurations in FIGS. 2, 18, 27 and 28. The front-side display unit of FIG. 2 is composed of several transparent EL panels 28a-c for displaying overlapping patterns overlapping with the back patterns. *See, e.g.*, Ozaki, ¶¶ [0042]-[0044]. The back side display unit and the front side display unit are disposed not to produce blind spot regions of the back patterns. *See, e.g.*, Ozaki, Abstract; Claim 1. The game machine can provide various overlapping patterns with good visibility and a high game selection capability to a player. *See, e.g.*, Ozaki, FIGS. 3 and 14.

Jeong discloses a liquid crystal display (LCD) device 100 configured to minimize inadvertent movement of a light guide plate in a molded frame. *See, e.g.*, Jeong, Abstract. A light guide plate 224 has catching jaws 224a1-b1 and projections 224a1'-b1'. *See, e.g.*, Jeong, FIGS. 7; ¶ [0076]. The catching jaws 224b1 are formed by cutting at least one corner of an end portion of the light guide plate 224 receiving the light from the lamp unit. *See, e.g.*, Jeong, FIGS. 7; ¶ [0077]-[0078]. The projections extend outwardly from sidewalls of the catching jaws, which respectively have a thinner thickness than the catching jaws. *See id.* A mold frame 400 receives the light guide plate 224 and the lamp unit 221 and has catching bosses 402a, 402b and recesses. *See, id.*, ¶ [0079]. The catching bosses 402a, 402b are formed at positions corresponding to the catching jaws on a bottom surface of the mold frame to engage with the catching jaws to fix the light guide plate in the mold frame. *See id.* The recesses are formed at respective positions corresponding to the projections at sidewalls of the mold frame to receive the projections. Therefore, even if an exterior impact is applied to the LCD device, the catching bosses of the mold frame are respectively and rigidly engaged with the catching jaws to prevent the light guide plate from moving towards the lamp. Even though the exterior impact is applied to sidewalls of the mold frame, the projections and the catching jaws can be prevented from

being damaged because the projections are respectively received in the recesses of the mold frame.

Neither Ozaki nor Jeong nor Sato teaches all of the elements and limitations set forth in new claims 17, 29, and 30. For example, the Final Office Action acknowledges on pages 3 and 4 that Ozaki does not disclose a rear holder for retaining the liquid crystal panel and the light guiding plate in the front display device, wherein the rear holder has opening with an inner periphery that includes a rearward-facing stepped region. Like Ozaki, Jeong and Sato also fail to disclose the claimed rear holder. In light of the elements and limitations missing from Ozaki, the Final Office Action applies Jeong, namely the Abstract and paragraph [0076] of Jeong, as allegedly teaching Applicant's claimed rear holder. Respectfully, Jeong provides no such teaching. In particular, the rear holder presented, for example, in claim 1, must "be[] configured to retain the liquid crystal panel and the light guiding plate in the front display device," and must "defin[e] an opening therethrough, [which] includes a rearward-facing stepped region". The molded frame 400 presented in FIG. 7 of Jeong does not include all of the foregoing limitations and therefore does not supplement the omissions of Ozaki.

In addition, claim 17 also requires "an antistatic sheet [be] attached to the rear holder and cover[] the opening." The Final Office Action acknowledges on page 5 and 6 that neither Ozaki nor Jeong disclose "an antistatic sheet." Applicant respectfully submits that Sato, like Ozaki and Jeong, fails to disclose an antistatic sheet as set forth in the pending claims. The Final Office Action indicates that "Sato provides a liquid crystal display that is held between an upper frame and a lower frame, (abstract), wherein ... the frame can be coated with an antistatic agent, (col. 4, lines 3-4)," *Id.*, at 6. Respectfully, the foregoing teachings do not teach the antistatic sheet as claimed. That is, claim 1 requires the antistatic sheet be attached to the rear holder and covering the opening in the rear holder. In addition, claim 29 requires the antistatic sheet be at least semi-transparent, be disposed within the opening in the rear holder, and be attached to a portion of the rearward-facing stepped region of the rear holder. Respectfully, Sato does not provide such teachings.

As such, the applied references do not disclose, teach, or suggest each and every limitation of claims 17, 29, and 30 and, thus, do not render any of the pending claims *prima facie* obvious.

### III. CONCLUSION

In light of the amendments and remarks set forth above, this submission is believed to be fully responsive to the Final Office Action of December 7, 2010. The amendment and remarks in support of the rejected claims are believed to place this application in condition for allowance, which action is herein respectfully requested. If the Examiner believes that a personal conference with Applicant's attorney will help expedite prosecution of the captioned application, the Examiner is reverently invited to contact the undersigned at his soonest convenience.

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All fees associated with this filing are believed to have been paid contemporaneously herewith. However, should any additional fees be deemed necessary (except for payment of the issue fee) or credits due, the Commissioner is authorized to deduct the fees from or credit the overpayments to Nixon Peabody, LLP, Deposit Account No. 50-4181, Order No. 247079/000771USPT.

Respectfully submitted,

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